(99)

## HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

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**Single Bench : Hon'ble Shri Justice Satish K. Agnihotri**

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**WRIT PETITION (S) NO. 4635 OF 2005**

**PETITIONERS**

1. Neelkanth Shardul, S/o Shri S.D. Shardul, Aged about 38 years, High School Mahatma Gandhi Ward Kondagaon, Block Kondagaon, District Bastar (CG).

2. Shrinivas Naidu, S/o Late R. Chittibabu Naidu, Aged about 36 years, High School Masora, Block Kondagaon, Distt. Bastar (CG).

3. Fazal Mohammad Khan, S/o Late Jaibullah, aged about 32 years, Primary School Chikhalputi, Block Kondagaon, Distt. Bastar (CG).

4. Gemchand Rana, S/o Shri M.R. Rana, Aged about 36 years, Primary School, Nawagaon, Block Kondagaon, Distt. Bastar (CG).

5. Smt. Avantika Bhediya W/o. Shri H.S.Bhediya, aged about 35 years, Primary School Adka Chhepda para, Block Kondagaon, Distt. Bastar (C.G.)

6. Leeladhar Singh Kachchha S/o. Shri Son Singh, Aged about 34 years, Middle School Chilputi, block Kondagaon, Distt. Bastar

7. Awadhesh Kumar Pandey, S/o. Shri K.C.Pandey, Aged about 37 years, Primary School Block Colony, Kondagaon, Distt. Bastar (C.G.)

8. Heera Lal Kachchhap, S/o. shri Ispar Kachchhap, Aged about 35 years, Primary School Makdi, Block Kondagaon, District Bastar (C.G.)

9. Roop Das Nag S/o. Shri B.R.Nag, Aged about 36 years, Primary School Dadhiya, Block Kondagaon, Distt. Bastar (C.G.)

10. Ramesh Kumar Sonpipre S/o. Shri

(10)

D.R.Sonpipre, Aged about 33 years, Middle School Malakot, Block Kondagaon, District Bastar (C.G.)

11. Roop Singh Markam, S/o. Shri S.R.Markam, Aged about 35 years, Primary School Bade Bhirawand, Block Kondagaon, distt. Bastar

12. Bihari Lal Dehari S/o. Shri D.R.Dehari, Aged about 34 years, High School Sambalpur, Block Kondagaon, District Bastar (C.G.)

13. Smt. Prabha Khobragade, W/o. Shri Ramdev Khobragade, Aged about 39 years, Primary School Chikhalputti, Block Kondagaon, District Bastar (C.G.)

14. Shivlal Netam S/o. Shri S.R.Netam, Aged about 33 years, Primary School Ban Usari, Block Kondagaon, District Bastar (C.G.)

15. Jamdhar Sori S/o. Late Sukhadeo, Aged about 40 years, Primary School Kumhar Para, Kondagaon, District Bastar (C.G.)

16. Sonu Ram Markam S/o. Shri L.L.Markam, Aged about 35 years, Primary School Murari para Kondagaon, District Bastar (C.G.)

17. Uday Singh Baghel S/o. Shri M.r.Baghel, Aged about 36 years, Primary School Bade Kkurusnar, Block Kondagaon, District Bastar (C.G.)

18. Andharu Ram Netam S/o. Shri K.R.Netam, Aged about 37 years, Primary School, Chicha Dongri, Block Kondagaon, District Bastar (C.G.)

19. Dayaram Gavade S/o. Shri J.R.Gavade, Aged about 36 years, Primary School Bansgaon, Block Kondagaon, District Bastar (C.G.)

20. Bali Ram Yadav, S/o. Shri

101

A.s.Yadav, Aged about 34 years, Primary School Boti Kanera, Block Kondagaon, District Bastar (C.G.)

21. Shankar Lal Mandavi, S/o. Shri B.R.Mandavi, Aged about 36 years, Middle School Chalka, Block Kondagaon, District Bastar (C.G.)

22. Heera Singh Netam S/o. Shri D.R.Netam, Aged about 37 yrs., Primary School Dhakad Para, Block Kondagaon, District Bastar, (C.G.)

23. Suresh Kashyap S/o. Shri D.R.Netam, Aged about 34 yrs., Primary School Dhakad Para, Block Kondagaon, District Bastar (C.G.)

24. Smt. Sumitra Uke W/o. Shri L.R.Uke, Aged about 35 years, Primary School Kopabeda, Block Kondagaon, District Bastar (C.G.)

25. Santosh Kumar Patra S/o. Shri J.R.Patra, Aged about 35 years, Primary School Nagari, Block Kondagaon, district Bastar (C.G.)

26. Ankalu Ram Sonpipre S/o. Shri D.R.Sonpipre, Aged about 34 years, High School Bade Kanera, Block Kondagaon District Bastar (C.G.)

27. Siyaram Korram S/o. Shri C.S.Korram, Aged about 35 yrs. Primary School dongar Silati, Block Kondagaon, District Bastar (C.G.)

28. Mangal Ram Suryawanshi S/o. Shri S.R. Suryawanshi, Aged about 39 yrs., Primary School Jhara, Block Kondagaon, District Bastar (C.G.)

29. Smt. Tandra Das W/o. Shri Govinda Das, Aged about 34 yrs., Primary School Block Colony Kondagaon, District Bastar (C.G.)

30. Smt. Nirmala Chhipani W/o. Shri A.K.Chhipani, Aged about 36 yrs., High School Mahatma Gandhi Ward Kondagaon District Bastar (C.G.)

31. Shri Bhuwaneshwar Singh Thakur

(103)

S/o. Shri N.S.Thakur, Aged about 36 yrs., Primary School Bade Padar, Block Kondagaon, District Bastar (C.G.)

32. Smt. Chandrakanta Lonhare W/o. Shri N.K.Lonhare, Aged about 35 years, Primary School Palari, Block Kondagaon, District Bastar (C.G.)

33. Smt. Shila Sonpipre W/o. Shri R.K.Sonpipre, Aged about 33 yrs., High SchoolBunagaon, Block Kondagaon, District Bastar (C.G.)

34. Lachchhin Dhar Korram S/o. Shri G.R.Korram, Aged about 38 yrs., Primary School Limauguda, Block Kondagaon, District Bastar (C.G.)

35. B.John, S/o. Late M.O.Baby, Aged about 36 yrs., B.H.S.School, Kondagaon, District Bastar (C.G.)

36. Amar Singh Markam S/o. Shri L.R.Markam, Aged about 37 years, Primalry School Palnar, Block Kondagaon, District Bastar (C.G.)

37. Sampat Ram Kunwar S/o. Shri S.R.Kunwar, Aged about 34 yrs., Primary School Dongar Silati, Block Kondagaon, District Bastar (C.G.)

38. Lal Singh Jurri S/o. Shri V.N.Jurri, Aged about 35 yrs. Primary School Chilputi, Block Kondagaon, District Bastar (C.G.)

39. Lalit Kumar Watti S/o. Shri A.S.Watti, Aged about 35 yrs., Primary School Chilputi, Block Kondagaon, District Bastar (C.G.)

40. Kashinath Pandey S/o. Shri B.P.Pandey, Aged about 34 yrs., Primary School Karanjipani, Block Kondagaon, District Bastar (C.G.)

41. Ramesh Kumar Dhruwa S/o. Shri J.R.Dhruwa, Aged about 35 yrs., S.T.Boys Ashram Kharpari, Block Kondagaon, District Bastar (C.G.)

42. Vishnu Ram Kidako S/o. Shri

J.R.Hidako, Aged about 34 yrs., Girls Ashram Mardapal, Block Kondagaon, District Bastar (C.G.)

43. Shambu Ram Kunjam S/o. Shri J.R.Kunjam, Aged about 33 yrs., Primary School Sukurpal, Block Kondagaon, District Bastar (C.G.)

Versus

**RESPONDENTS**

1. State of Mahdya Pradesh, Through the Secretary, Tribal Welfare Department, Bhopal (M.P.).

2. The State of Chhattisgarh, Through the Secretary, Tribal Welfare Department, Raipur (C.G.).

3. The Commissioner, Tribal Welfare Department, Bhopal (M.P.).

4. The Commissioner, Tribal Welfare Department, Raipur (C.G.).

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Present :- Shri P.P. Sahu, counsel for the petitioners.

Smt. Anju Ahuja, Dy. Govt. Advocate for the State.

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**ORDER**

**(Passed on 9th April, 2007)**

The question of law involved herein as to whether the petitioners are entitled to regular pay scale with effect from the date of initial appointment or from the date of completion of probation period.

Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the facts and question of law involved in the present writ petition are the same as to that of in W.P.(S) No.5976/2006 **(Sushil Tiwari and others Vs. State Government of Chhattisgarh & Others)**, which was allowed vide order dated 7.11.2006.

In view of the above-stated submissions made by learned counsel for the parties, the writ petition is allowed in the same terms. No order as to costs.

**Sd/-**
**Satish K. Agnihotri**
**Judge**